

Martin press release (as examiner appears to have done) as a substitute for the Business Wire press release in this Response.

Note, however, that; as per #8, following; applicant submits; because its actual date is open to serious question; that this Business Wire press release is in fact not a bonafide reference; and furthermore cannot be prior art, and accordingly should not be made a part of the instant invention's record.

Furthermore, as it is a press release only, and given its clear lack of sufficient detail; note that; assuming it contains the same information as the supposed press release on page 24-26 of "PMA" ; that it is non-enabling subject matter and accordingly does not qualify as prior art to the instant invention.

Post Priority Date Subject Matter

4. A 35 page exhibit ("PMA") has been submitted with the OA which, on pages 24-30, includes two press releases. Though these releases appear to carry (unreliable; #8, following) dates which are prior to applicant's priority date (and which, neither individually nor in combination [which combination would in any case for many reasons be improper] render the instant invention either anticipated or obvious), because the Internet Archive/Wayback Machine URL date(s) indicate they are from a 2001 version of the Peter Martin website (as printed along the bottom of each of pages 24-30) while the instant invention carries a 4/12/2000 priority date, under U.S. patent rules, they do not qualify as prior art and should accordingly be removed/redacted from the exhibit and the record. It is well settled that the content relied on (i.e. the two press releases) must in the least be shown to have been included in a rendition of the Peter Martin website which is earlier than the instant invention's priority date. In fact, the Wayback Machine itself indicates that the Peter Martin website has changed numerous times since applicant's PPA filing date. Given these PR pieces' use by examiner in attempted rejections of independent claims 181, 203, 225, 247, and 269-272, all these claims—and therefore also all the additional-limitation(s) dependent claims which flow from them—should all accordingly be allowed.

Notice of References Cited

5. In the Notice of References Cited, examiner has listed, under Non-Patent Documents (“U”) an apparent collection of a number of related and unrelated documents purportedly (see also *Response to Claim Rejections*; # 7, following) from the website www.petermartin.com (via the Internet Archive/Wayback Machine).

Note however, not an actual date for the website from which information was retrieved, but instead, an indicated Date Range (“2/3/1999-11/18/1999”) of the PMA website from which information was retrieved; an over nine months time period. Yet, both the patent office itself (form PTO-892: “*Include . . . Date . . .*”) as well as MPEP 707(d) [*Citation of references*] requires that:

“If printed publications are cited, the author (if any), title, date, pages or plates, and place of publication, or place where a copy can be found, will be given.”
[underline added]

Applicant could find no support or legal basis at the US PTO website for such use of date ranges; or of cobbling together disparate pieces of a website from various time periods in an attempt to create prior art (i.e. a printed publication) to use against an invention; as being acceptable.

In addition, in Claim Rejections, examiner indicates that claims 181-272 are rejected under U.S.C. 102(a) as being anticipated by PMA [assumed by applicant to be Peter Martin Associates] (“Peter Martin Releases HelpWorks Web Edition,” Business Wire, September 28, 1999); yet this statement refers to a specific single press release, not a/the number of different website-obtained documents from the Notices of References Cited (again; over a nine+ month time period) as is listed in “U.”

Therefore, as “date range references” and “date range publications” are clearly not references or publications at all; cobbling together disparate pieces of a website over some time period is improper; and just what is being used to support a supposed rejection of all of applicant’s claims (181-272) is not clear and cannot be determined, the

attempted use here of 35 U.S.C. 102(a) to reject the claims is, respectfully, improper. Accordingly, applicant submits that the listing of “Peter Martin” in “U” is also improper and should be removed from the Notice of References Cited (as well as not be part of applicant’s forthcoming patent). Examiner’s rejections of applicant’s claims (181-272) are, respectfully, accordingly moot.

6. As “A Cyber Approach by Washington’s Children’s Alliance . . .” (listed in “V” of form PTO-892); in addition to appearing to itself be an improper combination of at least two different “documents” and printed publications; is later in time than the instant invention’s 04/12/2000 priority date (note the March 2001 and Copyright 2001 dates), it is moot and should be removed from the Notice of References Cited and not included in the instant inventions patent.

Though it be moot, applicant has nonetheless considered the submission, including the “Summary” (“In 1999, . . .”) notation on page one of the “A Great Idea” part of the submission. However:

A: Without probative substantiation, statements about what was or wasn’t available in the past (here; 1999) is merely unpermitted hearsay and conjecture. What is known is that the first paragraph indicates only that a site was “developed” in 1999. The 2nd paragraph from the bottom of second column on page one states that the site was tested for three months before it was publicized . . . while page two, column one states it was officially “opened” Sept 1, 2000; some months after the instant invention’s priority date. So even with a date three months prior to 9/1/2000 (i.e. 6/1/2000), the instant invention still predates any possible public disclosure of this system.

B: Note the 2nd paragraph on page one, where it states “. . . can now . . .”; indicating in March of 2001—almost a full year after applicant’s priority date—a little of how the service worked and what the service provided.

C: Even then, just how did it work? What did it require and not require? What benefits were available? Unlike the instant invention, did it require privacy-invasive identification

of the benefits seeker (as most benefit systems did at the time)? Was the system truly automated; that is, people received benefit information without the involvement of caseworkers or others? Could the benefit providers input the benefits directly? Given what the newsletter says it did offer/supply (at least as of March of 2001), no benefits from companies were available. And of course, clearly no benefits of any type for non-human entities as is the case with the instant invention.

Response to Claim Rejections

7. News reports are replete with almost daily major Internet-accessible database security breaches, compromises, and break-ins; often including data removal, manipulation, and insertion; even including supposedly “super secure” US military and other government computers and databases. In fact, it is now well settled that such reported illegal incursions represent only the tip of the iceberg of this growing problem, given most companies’ strong desire to keep such breaches out of the public eye.

Even the patent office itself recently banned the use of Wikipedia as an authoritative information source; exactly because the data found there both has not been vetted by qualified experts in the respective fields and is regularly modified by anyone who wants to do so.

Now, while applicant acknowledges that Wikipedia is itself designed to allow for such informational modifications (permissive edits), its accuracy problems nonetheless stand as yet another example of the inherent risks associated with the use of online databases for information acquisition purposes; particularly where no “non-Internet” based information is used to confirm and substantiate that the “facts” contained in such web-accessible databases are actually facts.

Indeed, note that even the Internet Archive itself, in its long established Terms of Use (TOU) and Privacy Policy, clearly and conspicuously alerts users to the risks and dangers of, and the inherent questionable accuracy and reliability of, its very own data; as can be

seen here in the applicable sections of their TOU and Privacy Policy; taken right from their website on 09/13/2006 by applicant:

"The Archive does not endorse or sponsor any content in the Collections, nor does it guarantee or warrant that the content available in the Collections is accurate, complete, noninfringing, or legally accessible in your jurisdiction, and you agree that you are solely responsible for abiding by all laws and regulations that may be applicable to the viewing of the content."

"You understand and agree that the Archive makes no warranty or representation regarding the accuracy, currency, completeness, reliability, or usefulness of the content in the Collections, that the Site or the Collections will meet your requirements, that access to the Collections will be uninterrupted, timely, secure, or error free, or that defects, if any, will be corrected. We make no warranty of any kind, either express or implied."

"It is possible that the computers at the Archive could become compromised by others and that the information on the Archive's computers could be collected and disseminated without the knowledge or consent of the Archive. While the Archive endeavors to block "crackers" from breaking into its machines, the Archive is not responsible or liable for any such unauthorized uses of the Archive or its data." [underline highlighting added]

Why do we rarely if ever see such disclaimers from established, reputable printed (in the true sense of the word) information sources such as printed books, manuals, magazines, newspapers, white papers, conference minutes, dissertations, and the like? For one good reason: Because they can virtually always be trusted and relied upon for what they teach and disclose. Even the Archive itself, indicated by its use of asterisks next to dates on their search results pages, admits that the content of most websites is—much like as is the case with the information on Wikipedia—constantly changing.

At best, such services/systems as the Internet Archive/Wayback Machine should only be used as a guide or map to direct the information seeker elsewhere for the truthful, accurate, authoritative, confirmable, and probative value information being sought. It is no more trustworthy, and deserves no better treatment, than the now discredited Wikipedia.

Given then both the self-admitted uncertainty and unreliability of the data the Wayback Machine purports to supply, combined with the absolute criticality of establishing and confirming concrete and unquestioned dates within the patent “world,” applicant respectfully submits that the use of the editable, computer-automated, Internet-gathered, dates uncertain, neither verified nor peer vetted nor human reviewed, unreliable Internet Archive/ Wayback Machine in general, and specifically its use in a rejection of the instant invention, to be improper. Accordingly, examiner’s arguments and ground(s) of rejection of the instant invention’s claims are moot.

Clearly; if even the information, computer, and other experts and attorneys behind the Internet Archive itself virtually insist that no one trust and rely on what it discloses, it’s then clearly illogical, improper; and yes, just plain wrong, for anyone—for any of us—to treat and use it as a trusted and authoritative fact and information source; and most especially so when dealing with innovation-critical, economy-important, and valuable patents. If they can’t stand behind it, we can’t either. Factual accuracy demands no less.

8. Applicant is submitting with this response seven pages of information (OA Response Exhibit) consisting of an Internet search and two press releases (which appear to be the same). As can be seen from page one of Google search results for a search conducted on Sept 12th, 2006, there is a legitimate question as to just exactly when the Peter Martin Co. actually did disclose and release their Help Works Web Edition software/system (in an attempt to learn more, applicant has even made six phone calls to the company; after previously leaving messages on a voice mail system, most recently their number rings as no longer in service).

Two different web site/services; Highbeam and FindArticles; both report—by all appearances from Business Wire (the same PR company referenced and used by examiner)—that “Web Edition” was actually not disclosed and available (and therefore its respective teachings; such as they are) until on or about April 24th, 2001 (over a year after applicant’s priority date); and not on or about September 27, 1999, as the now

discredited Internet Archive/Wayback Machine seems to indicate (examiner numbered pages 24-26).

Additionally, a USPTO trademark search on HelpWorks Web Edition reveals that the Peter Martin Company's own stated first use in commerce of the Web Edition actually wasn't until 06/30/2000; again, *after* applicant's priority date. This casts further serious doubt on the purported dates of both the Business Wire and Peter Martin press releases concerning its Web Edition. It is well settled that without date certainty prior to applicant's priority date, which uncertainty clearly and conspicuously exists here, such printed publications cannot be used as the basis for a rejection of applicant's invention/claims.

Accordingly, since this/these "web-found" press release(s)—as also being from Business Wire—are most certainly just as valid as examiner's is/are; and the Peter Martin Co didn't actually sell or disclose publicly its Web Edition until after applicant's priority date, the rejections of applicant's claims (181-272) are, respectfully, therefore moot.

9. Respectfully, since all of examiners rejections have for a number of reasons now been rendered moot, there be no need for applicant to proceed further with this Response. Applicant does accordingly request at this time that all the claims (181-272) be allowed and the patent for which applicant has met all the requirements for now be issued.

10. Even if the rejections were not already moot for the reasons above, the rejections would still be overcome, traversed, and/or rendered moot; as follows [please note that due to applicant's numbering oversight when drawing the RCE, that claims are in fact numbered 181-272; and not 181-270 (p.2, # 4 of OA)]:

11. Re: # 4, p. 2 of OA; as examiner has not indicated whether it is the various versions of the Peter Martin websites ("PMA"), the Business Wire press release, or some attempted combination of them (which combination would for many reasons itself be

improper) which is the basis for the 102(a) rejections, the rejections of claims 181-272 are moot.

12. Re: # 4, p.2 of OA; treating the use and combination of various documents, printed publications, and other information obtained from a company website (here; PMA) [and especially so when done by utilizing various versions of a company's website over a nine+ month time period as was done here] as if such a combination (which attempted combination would, for numerous reasons, in any case itself be improper and impermissible) were the 102(a) required single printed publication is improper; thereby rendering all of the claims rejections moot [applicant acknowledges that, in rare and very limited circumstances, the use of more than one reference may be permissible in a 102(a) rejection; however, such an approach has not been indicated as being resorted to here by examiner and of course cannot be inferred].

13. Re: # 4, p.2 of OA; a combination of the PMA websites (whether in whole or in part) with the Business Wire press release (which attempted combination would, for numerous reasons, in any case itself be improper and impermissible) as if it were the 102(a) required single printed publication is improper; thereby rendering all of the claims rejections moot.

14. Even if numerous documents and printed publications gathered from various versions of company website(s) [even over a 9+ month time period] (here; PMA); or some combination of a company website (or multiple versions of a company website) with a press release (here; Business Wire); *could* be treated as the 102(a) required single printed publication, such a combination [were it not itself improper for many different and varied reasons; including but not limited to: No suggestion or motivation to combine, individually complete references, proposed modification cannot render the prior art unsatisfactory for its intended purpose, proposed modification cannot change the principle of operation of a reference, misunderstood reference/s, commercial success, solution of long-felt and unsolved need, synergism, multiplicity of steps required, competitive recognition, assumed insolubility, new principle of operation, different

problem solved, lack of implementation] and all that such a combination would teach or suggest to an artisan, would still not render the instant invention, as defined by its independent claims, as either anticipated or obvious; as follows:

15. Re: OA p.2-3, #5:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

First; PMA, Business Wire (BW), HelpWorks, and HelpWorks Web Edition (WE); whether taken individually or in combination; teaches and discloses a benefit-matching system for human beings only. Not one for businesses, governments, educational institutions, or non-profit organizations, as independent claims 225 and 247 most obviously do. Therefore; as is the case when claims are allowed and patents issued for new drugs specific to particular species of living organisms; even for this reason alone, independent claims 225 and 247 should be allowed. In fact, the differences between a human (being) entity and a non-living-organism business, government, educational institution, or non-profit entity are certainly greater—including patently greater given their wider difference in scope--than the differences between a human and a dog, cat, horse, or other living organism. Nothing in PMA, BW, HelpWorks, or HelpWorks WE; whether when considered individually or in some combination; teaches, discloses, or even remotely suggests this obviously useful and valuable non-human entity benefit matching capability. Such matching is clearly neither anticipated nor obvious.

Next; note that independent claim 269 contains the limitation, *"said requester thereafter receiving, utilizing said stored request and via a data receiving device, at least one automatically generated updated subset of said benefit information."* Nothing in PMA, BW, HelpWorks, or HelpWorks WE; whether taken individually or in some combination; teaches, discloses, or even remotely suggests the automated receipt of one or more additional benefit informational disclosures based on a stored benefit request. HelpWorks and HelpWorks WE supplied just a single benefits disclosure from each submitted benefit request. Automated follow-up benefit disclosures/updates are clearly a useful and

valuable capability, as it provides the benefit seeker with a quicker, easier, and more timely way to receive benefit information; ideally even as the benefits themselves—and the qualifications for obtaining them—change. Thus; even for this reason alone, independent claim 269 should be allowed.

Next; Unlike the *unlimited* benefit-providing instant invention, HelpWorks and HelpWorks WE, as *limited* benefit providing systems, supplied information to (as above) human beings; as well as only about those benefits offered specifically (self-limited) by “...*public and private social service agencies...*” (p.2, para 1 and p.25, para 6; p.10, para 2 “*federal benefit programs,*” p.24-25, para 3 “*from public and private agencies... Federal, State, and/or Local,*”). No benefits from companies (car dealers, hard goods providers, grocery stores, department stores, the local plumber, furniture emporium, restaurant, law firm, etc). No benefits from colleges (student aid, scholarships, etc.). No benefits from individuals (Bill Gates, Warren Buffet, etc).

In addition, the further *limited* HelpWorks and HelpWorks WE were for individual agency use only (p.25, para 4 “...*anything else an agency wishes to implement...*” ; p.25, para 5 “...*allows an agency to utilize...*”) meaning that, unlike the instant invention, benefit seekers were still left with having to contact numerous public and private agencies in order to discover all of the benefits that they are or may be entitled to. With the instant invention, because it is *unlimited* in that the benefit seeker is able to discover up to all benefits available to seeker regardless of which benefits each PMA-required public and private social service agency is offering, the identification and obtaining of seeker’s benefits is accomplished far faster and much easier. The instant invention is not restricted to use by particular public or private agencies.

Furthermore, HelpWorks and HelpWorks WE apparently required the identity of the benefit seeker; which was of course common with the obtaining of benefits prior to the instant invention. Not having to do so as is the case with the instant invention is a “convention flipped on its head,” *counter-intuitive* feature and capability that allows the benefit seeker to, for the first time in history, *anonymously* discover many to all of the

plethora of benefits seeker qualifies for without revealing seekers identity to the benefit providers or the system operator.

These many unanticipated, novel, and non-obvious features and capabilities obviously have and provide great use, utility, and value over the reference(s) (the teachings, disclosures, and suggestions of) PMA, BW, HelpWorks, and HelpWorks WE; whether the reference(s) is/are taken individually or in combination. Nothing therein either anticipates or makes obvious the instant invention. These features and capabilities are taught only by the ground-breaking instant invention.

Furthermore, even if examiner's page three, paragraph one statements (*"Can be configured to evaluate any or all benefits and programs requires—Federal, State, and/or Local," "Purpose of eligibility screening system," "Eligibility Library," "HelpWorks can be 'taught' to screen for any criteria," "Robust question pool to use as a starting point," "Eligibility Screening," and "Web enabled self-service module"*) all accurately represented the teachings and/or suggestions of examiner's reference(s) (which applicant contends is not the case); and/or were known to the arts generally; note that the architecture for and procedures to implement such capabilities would nonetheless not be conventional in the breakthrough benefits-matching instant invention. Accordingly, all the independent claims should be allowed.

16. All of the dependent claims incorporate all of the limitations of their respective independent claims and add additional limitations and subject matter and thus are a fortiori patentable. In addition, the dependent claims are themselves each also independently patentable as can be readily appreciated from the following:

17. Re: OA p.3, # 6: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable display capabilities. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). The referenced "p.8 in-depth program information provided to clients" has nothing to do with the manner in which the benefits are displayed to the benefit seeker. "In depth information" merely refers to the providing of benefit program

information; via printed benefit profiles; for which the benefit seeker may qualify for (p.8); neither teaching nor suggesting anything about manners of benefits display. Various manners of display of the benefits is entirely foreign to PMA/BW.

18. Re: OA p.4, # 7: Since, as explained in #17, above, PMA/BW neither teaches, discloses, nor suggests such useful and valuable various manners of benefits display (“user configurable”), a fortiori they cannot teach nor suggest such useful and valuable display manner self-selection by the system user. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). In addition, system user benefits display manner selection is itself entirely foreign to PMA/BW; and, indeed, to the arts themselves. Furthermore, even if such benefits display options were known to the arts generally, note that the architecture for and procedures to implement such capabilities would not be conventional in the breakthrough benefits-matching instant invention.

19. Re: OA p.4, # 8: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable storage of part or all of system users’ data. Neither HelpWorks nor HelpWorks WE offered such capabilities. The storage of at least a portion of user’s data is entirely foreign to PMA/BW. While databases and their use and administration (“database capabilities”) are of course known to the arts generally, note that the architecture for and procedures to implement such capability/ies is not conventional in the breakthrough benefits-matching instant invention.

20. Re: OA p.4, # 9: Since, as explained in #19, above, PMA/BW neither teaches, discloses, nor suggests such useful and valuable storage of at least part of system users’ data (“user configurable”), a fortiori they cannot teach nor suggest the useful and valuable updating of the status and/or availability of benefits (since such updating is obviously dependent on such data storage). Neither HelpWorks nor HelpWorks WE offered such capability(ies). In addition, such system user benefit updating is itself entirely foreign to PMA/BW; and, indeed, to the arts themselves. Furthermore, even if such updating were known to the arts generally, note that the architecture for and

procedures to implement this capability would still not be conventional in the breakthrough benefits-matching instant invention.

21. Re: OA p.4, # 10: Since, as explained in #19 & 20, above, PMA/BW neither teaches, discloses, nor suggests such useful and valuable data storage and benefit updating, a fortiori they cannot teach nor suggest the useful and valuable real time or later notification of such updating. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). In addition, such real time or later notification for the system user is itself entirely foreign to PMA/BW; and, indeed, to the arts themselves. Furthermore, while the use of e-mail (“e-mail capability”) is of course known to the arts generally as a method of notification, note that the architecture for and procedures to implement this capability is not conventional in the breakthrough benefits-matching instant invention.

22. Re: OA p.4, # 11: Since, as explained in #19, 20, & 21, above, PMA/BW neither teaches, discloses, nor suggests such useful and valuable data storage, benefit updating, and real time or later notification of such updating (“user configurable”), a fortiori they cannot teach nor suggest the useful and valuable selection or election of when system user receives the notifications. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). In addition, such selection or election is itself entirely to PMA/BW. Furthermore, even if such selection or election capability were known to the arts generally, note that the architecture for and procedures to implement this capability would still not be conventional in the breakthrough benefits-matching instant invention.

23. Re: OA p.4, # 12: Since, as explained in #19, above, PMA/BW neither teaches, discloses, nor suggests such useful and valuable storage of at least part of system users’ data, a fortiori they cannot teach nor suggest the useful and valuable requirement that user update their data as a condition of their remaining a system user (“component of updating client information”). The use of this “carrot and stick” feature helps insure a greater degree of accuracy of users’ data; which is beneficial to the benefit providers, the system operator, and the benefit-seeking system users alike. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). In addition, such requisite data updates

are entirely foreign to PMA/BW; and in fact to the arts themselves. Furthermore, even if such required data updating were known to the arts generally, note that the architecture for and procedures to implement this capability would still not be conventional in the breakthrough benefits-matching instant invention.

24: Re: OA p.4, # 13: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable “pay only for results” payment options. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). These very creative payment options are entirely foreign to PMA/BW; as well as to the benefit identification/supplying field itself. Due to such options being entirely foreign to the arts, “Cost of PMA system” is not relevant, even generally, to the arts. In addition, note that even if such options were known to the arts generally, the architecture for and procedures to implement this/these capability/ies would still not be conventional in the breakthrough benefits-matching instant invention.

25: Re: OA p.5, # 14: Nothing in PMA/BW teaches, discloses, or suggests such (a) useful and valuable income generation methodology(ies). Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). By having the benefit providers themselves contribute in whole or in part towards the necessary system financial support, such services may more easily and affordably provide their benefits; ideally at little or no cost to the benefit seekers. These income options are entirely foreign to PMA/BW; which did/do not charge the benefit providers for the inclusion of their benefits in either HelpWorks or HelpWorks WE (rendering “PMA Commerce” non-applicable). While monetary revenue or other value capability is known to the arts generally, note that the architecture for and procedures to implement this/these capability/ies is not conventional in the breakthrough benefits-matching instant invention.

26: Re: OA p.5, # 15: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable “keep the benefits and benefits information as current as possible” *as disclosed in the instant invention*. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). Keeping such data as current as possible in this manner is entirely foreign to PMA/BW. While “user configurable” capability is known to the arts generally,

note that the architecture for and procedures to implement this capability is not conventional in the breakthrough benefits-matching instant invention.

27: Re: OA p.5, # 16: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable *means for said message to* capabilities. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). These capabilities are entirely foreign to PMA/BW. While one or more of these options may be known to the arts generally; even if they were/are; note that the architecture for and procedures to implement such capability(ies) is/are not conventional in the breakthrough benefits-matching instant invention.

28. Re: OA p.5, # 17: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable capabilities. Neither HelpWorks nor HelpWorks WE offered such (a) capability(ies). These capabilities are entirely foreign to PMA/BW. Furthermore, even if such capabilities were known to the arts generally (highly unlikely; and has in any case not been shown by examiner to be the case), note that the architecture for and procedures to implement this/these capability/ies is not conventional in the breakthrough benefits-matching instant invention.

29. Re: OA p.6, # 18: Since, as explained in # 28, above, PMA/BW neither teaches, discloses, nor suggests such useful and valuable capabilities, a fortiori they cannot teach nor suggest the useful and valuable *real or near real time* performance of such capabilities. Neither HelpWorks nor HelpWorks WE offered such capability(ies). These capabilities are entirely foreign to PMA/BW. Furthermore, while “Web-based systems” were of course known to the arts generally, note that the architecture for and procedures to implement such real or near real time performance of such capability/ies is not conventional in the breakthrough benefits-matching instant invention.

30: Re: OA p.6, # 19: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable sharing via said system. Neither HelpWorks nor HelpWorks WE offered such capability. This capability is entirely foreign to PMA/BW. While providing user results to benefit seekers (“Provide user results”) was of course known to the arts

generally, providing such results to one or more *other entities via said system* was not. Furthermore, even if such a capability had been known to the arts generally, note that the architecture for and procedures to implement such a capability would still not be conventional in the breakthrough benefits-matching instant invention.

31. Re: OA p. 6, # 20: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable message disclosure options. Neither HelpWorks nor HelpWorks WE offered such capability. These capabilities are entirely foreign to PMA/BW. While disclosing entity benefits for which entity may qualify for, and/or may not qualify for, and/or does qualify for was of course known to the arts generally, note that the architecture for and procedures to implement the providing of such information is not conventional in the breakthrough benefits-matching instant invention. Additionally, the useful and valuable disclosing to entities benefits for which they *do not* qualify for; running as it does completely counter to the purpose for which benefit matching systems exist in the first place; was, before the present invention, itself not even known to the arts. Furthermore, even if it had been known to the arts generally, the architecture for and procedures to implement such *do not qualify for* information would not be conventional in the breakthrough benefits-matching instant invention.

32. Re: OA p.6, # 21: Nothing in PMA/BW teaches, discloses, or suggests such a *counter-intuitive*, yet useful and valuable “*benefits you wouldn’t normally be made aware of*” capability. Neither HelpWorks nor HelpWorks WE offered such capability. This capability is entirely foreign to PMA/BW. The disclosing of benefits to a benefit seeker without regards to at least some of benefit seeker’s data clearly runs contrary to the purpose and operation of benefit matching systems (“User configurable—open criteria” being therefore not applicable to the arts even generally). Furthermore, even if such a capability had been known to the arts generally, note that the architecture for and procedures to implement such a capability would not be conventional in the breakthrough benefits-matching instant invention.

33. Re: OA p.6, # 22: Nothing in PMA/BW teaches, discloses, or suggests such a useful and valuable benefit provider *direct submission* capability. Neither HelpWorks nor HelpWorks WE offered such capability. This capability is entirely foreign to PMA/BW (rendering “User configurable” inapplicable/moot). The ability for the benefit providers to directly access the system in this manner is a huge time, labor, and money saver both for the system operator as well as the benefit providers themselves. Though unlikely known even to the arts generally; even if it were; note that the architecture for and procedures to implement such a capability would still not be conventional in the breakthrough benefits-matching instant invention.

34. Re: OA p.6, # 23: Nothing in PMA/BW teaches, discloses, or suggests such a useful and valuable *third party submitter* capability. Neither HelpWorks nor HelpWorks WE offered such capability. This capability is entirely foreign to PMA/BW. The ability of benefit providers to have others handle their benefit submissions for them is a clear advantage to those providers who would find it difficult to provide their direct submission duties on their own; with their own staff/employees. In addition, benefit submission specialists may be able to offer additional value add services to the benefit provider field/industry. Though unlikely known even to the arts generally (“PMA configured presets” ? “government benefits” ?); even if it were; note that the architecture for and procedures to implement such a capability would still not be conventional in the breakthrough benefits-matching instant invention.

35. Re: OA p.6, # 24: Nothing in PMA/BW teaches, discloses, or suggests such a useful and valuable *variable benefits* capability. Neither HelpWorks nor HelpWorks WE offered such capability. This capability is entirely foreign to PMA/BW. Benefit matching systems of the time; such as they were; required (understandably so given that benefits require a specific type and amount of data in order to determine whether or not a given entity qualifies for a given benefit), the *completion* of (the) application form(s) in order to determine qualification (thereby rendering “User set criteria” inapplicable/moot given the arts lack of knowledge of such a capability; even generally). Claims 200, 222, 244, and 266, on the other hand, enable benefit seekers to obtain at least some benefit information

and benefits even if they're unable or unwilling to provide *all* the information requested. Furthermore, even if such a capability had been known to the arts generally note that the architecture for and procedures to implement such capabilities is not conventional in the breakthrough benefits-matching instant invention.

36. Re: OA p.7, # 25: Nothing in PMA/BW teaches, discloses, or suggests such a *counter-intuitive*, yet useful and valuable *phantom data* capability. Neither HelpWorks nor HelpWorks WE offered such capability. This capability is entirely foreign to PMA/BW. Inputting inaccurate information runs completely counter to the whole purpose of benefit matching systems, which require accurate information in order to deliver accurate benefit information (thereby rendering "User configurable criteria" inapplicable/moot; given the arts lack of knowledge of such a capability; even generally). Yet doing so, as applicant explains in his specification, actually provides some very useful and worthwhile information to the benefit seeking entity. Furthermore, even if such a capability had been known to the arts generally note that the architecture for and procedures to implement such capabilities is not conventional in the breakthrough benefits-matching instant invention.

37. Re: OA p.7, #26: Nothing in PMA/BW teaches, discloses, or suggests such useful and valuable identification options. Neither HelpWorks nor HelpWorks WE offered such capability. These capabilities are entirely foreign to PMA/BW. While requiring entity identification in order to obtain benefit information and benefits was of course known to the arts generally ("User configurable criteria"), note that the architecture for and procedures to implement such a capability/requirement is not conventional in the breakthrough benefits-matching instant invention.

Conclusion

For all the above reasons, applicant submits that all the claims (181-272) define non-anticipated, novel, unobvious, and patentable subject matter over any and all prior art; and that all other requirements have been met. Accordingly, applicant submits that this application is in condition for allowance, which action applicant respectfully solicits.

Very respectfully,



Steve Morsa

POB 1996

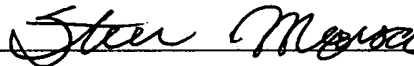
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Peter Martin Associates Announces Release of HelpWorks Web Edition.

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Business Wire; 4/24/2001

Business Editors, Health/Medical Writers

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CHICAGO--(BW HealthWire)--April 24, 2001

The premier provider of social service agency software introduces a Web version of the HelpWorks(TM) eligibility screening tool, offering broad access to information on benefits and services.

HelpWorks Web Edition(TM) targets under-enrollment of children and families for critical services such as Food Stamps, the Child Health Insurance Program (CHIP), and Energy Assistance programs.

Peter Martin Associates today announced the release of a Web-based version of the company's groundbreaking HelpWorks(TM) eligibility screening software package. HelpWorks(TM) leverages expert systems technology to simplify the assessment of people's eligibility for benefits and services. People in need can now find out what they're eligible for and apply for benefits--all without having to visit multiple offices and or fill out repetitive paper application forms.

HelpWorks(TM) stores program rules in a database, then conducts a guided, personalized interview to quickly assess eligibility. If an individual or family is found to be eligible for a given program, HelpWorks(TM) matches individuals with appropriate service providers. The program can then transmit an electronic application, streamlining the entire process of accessing services.

"We think we're on the cutting edge of a revolution in the way human services, and more broadly government services, are delivered," says Edward Hamlin, founder and CEO of Peter Martin Associates. "By storing complex eligibility rules, formulas and rate tables in a database, HelpWorks(TM) frees caseworkers to focus on providing direct service to their clients."

The State of Minnesota's Biennial State Social Services Plan recently showcased HelpWorks(TM) in Clay County as an "innovative practice." Cynthia Sillers, Coordinator of the Clay County Joint Powers Collaborative, said, "The Collaborative Partners in Clay County selected HelpWorks Web as a technological tool to vastly improve our system for connecting people to services in a rapidly changing world. We are confident that

HelpWorks Web will be an asset as we continue to address quality of life issues for children and families in this community."

HelpWorks(TM) is now a core component of New Jersey's One Ease E-Link electronic government initiative. Bill Kowalski, Director of the New Jersey One Ease E-Link Initiative, says, "One Ease E-Link (OEL) offers professionals a business-to-business portal specifically for human services, and HelpWorks is a critical component of that content. HelpWorks is easy to use, yet powerful. It offers workers results on a broad and complex range of eligibility and provider information. What's more, OEL can add and update the library of programs as needed or as policies or programs change."

HelpWorks Web Edition(TM) is targeted at professional social workers and other service providers as well as public institutions that offer information kiosks and Web connections.

HelpWorks Web Edition(TM) is available as a hosted solution and on a conventional software license basis. PMA has announced plans to offer HelpWorks(TM) as a monthly subscription service beginning in the third quarter of 2001.

About Peter Martin Associates, Inc.

Peter Martin Associates (PMA) is the premier provider of software designed for public and private social service agencies, focusing on family-centered case management, information and referral, rules-based assessment, and eligibility screening. Products are available on a broad range of platforms, from laptops to the Internet. For more information, visit <http://www.petermartin.com>.

For further information on HelpWorks Web Edition(TM), visit <http://www.helpworks.com>.

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